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8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
10

11 SIGNAL IP, INC., a California
corporation,

12 Plaintiff,

13 vs.

14 MERCEDES-BENZ USA, LLC, a
15 Delaware limited liability company;
DAIMLER NORTH AMERICA
16 CORPORATION, a Delaware
corporation,

17 Defendant.
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Case No. 2:14-cv-03109-JAK (JEMx)

**UPDATED JOINT REPORT ON
SEQUENCE OF CASES FOR
TRIAL**

First Trial Date: April 19, 2016

Plaintiff Signal IP, Inc., (“Plaintiff” or “Signal”) and defendants American Honda Motor Co., Inc. and Honda of America Mfg., Inc. (collectively “Honda”), Nissan North America, Inc. (“Nissan”), Mazda Motor of America, Inc. (“MMA”), Kia Motors America, Inc. (“KMA”), BMW of North America, LLC (“BMWNA”), and Mercedes-Benz USA, LLC (“MBUSA”), (collectively, “Defendants”) hereby submit their Joint Report on Sequence of Cases For Trial. This report is submitted pursuant to the Court’s direction at the February 1, 2016 hearing in these actions.

Plaintiff's Statement

In light of all the circumstances, Plaintiff proposes the following trial schedule:

Trial 1:	April 19, 2016	MBUSA
Trial 2:	June 7, 2016	Honda
Trial 3:	July 12, 2016	BMWNA
Trial 4:	September 6, 2016	Nissan
Unscheduled Trials:		MMA & KMA

Plaintiff's proposed order rests, in part, on the considerations addressed in its oppositions to Defendants' motions to stay. Mercedes did not move for a stay. Honda and BMWNA each has only a single claim that is currently subject to an IPR proceeding. Nissan and MMA, by contrast, each has three or more claims pending before the USPTO, and, in the absence of a compelling reason to try those actions first, Plaintiff proposes deferring those trials until after the others have been resolved. If necessary, the Court can decide the order of the unscheduled cases at a later time.

Plaintiff's proposed schedule assumes that Defendants' motions for summary judgment will be denied in their entirety. However, if the Court indicates at the March 7 hearing that it is inclined to grant summary judgment with respect to certain defendants or patents, Plaintiff respectfully requests that the Court direct the parties to submit an updated joint report on the sequence of trial by March 11, 2016.

1 That report would allow the parties to incorporate the Court's guidance into their
 2 proposals and provide the Court with revised input on the sequence of trials before
 3 the Court sets a final schedule.

4 **MBUSA's, Honda's, Nissan's, BMWNA's and Kia's Statement**

5 MBUSA's, Honda's, Nissan's, BMWNA's, and Kia's respective positions on
 6 the sequence of trials remain the same as set forth in the parties' December 21, 2015
 7 joint report and discussed during the motion hearing on February 1, 2016.

8 **MMA's Statement**

9 MMA expects to prevail in this case when the Court issues rulings on the
 10 pending summary judgment and *Daubert* motions. Nonetheless, MMA agrees to the
 11 sequence provided by Signal IP above.

12 MMA notes that Signal IP asserts three patents against MMA. MMA
 13 disclosed separate technical experts for each asserted patent and separate fact
 14 witnesses for each asserted patent. The fact witnesses that MMA may call include,
 15 among others, a number of foreign, third-party witnesses who will require advance
 16 notice to make travel arrangements. Thus, it will be difficult, if not impossible, for
 17 MMA to schedule all of its witnesses by the first April 19, 2016 trial date.

18
 19
 20 Dated: February 26, 2016 LINER LLP

21
 22
 23 By: /s/ Ryan E. Hatch
 24 Ryan E. Hatch
 25 Attorneys for Plaintiff SIGNAL IP, INC.
 26
 27
 28

1 Dated: February 26, 2016

FISH & RICHARDSON P.C.

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4

By: /s/ Ahmed J. Davis

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Ralph A. Phillips (Pro Hac Vice)

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Ahmed J. Davis (Pro Hac Vice)

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Attorneys for Defendants

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AMERICAN HONDA MOTOR CO., INC;

9

and HONDA OF AMERICA MFG., INC.

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Dated: February 26, 2016

SHOOK, HARDY & BACON L.L.P.

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NISSAN NORTH AMERICA, INC.

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MAZDA MOTOR OF AMERICA, INC.

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SIGNATURE ATTESTATION

I hereby certify that concurrence in the filing of this document has been obtained from each of the other signatories shown above.

By: /s/ Ryan E. Hatch